

AGENDA REQUEST
BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF SUGAR LAND, TEXAS

AGENDA OF 03/24/05 DEPT OF ORIGIN: DEVELOPMENT SVCS. REQ. NO. V A
DATE SUBMITTED: 03/17/05

ORIGINATOR: DOUGLAS P. SCHOMBURG, AICP, ASST. CITY PLANNER *D.P.S.*

**SUBJECT: EXTENSION OF CONDITIONAL USE PERMIT ORDINANCE 1435 TO
EXPAND AN EXISTING HOSPITAL FACILITY IN THE BUSINESS
OFFICE (B-O) DISTRICT**

PROCEEDING: CONSIDERATION AND ACTION

**EXHIBITS: VICINITY MAP; CURRENT CUP ORDINANCE NO. 1435; LETTER
FROM APPLICANT**

APPROVED FOR SUBMITTAL:

SABINE A. SOMERS-KUENZEL, AICP, CITY PLANNER *S.A.K.*

EXECUTIVE SUMMARY:

This request from Mr. Dexter Littlefield of Triumph Hospital Southwest, is to extend the timeframe of approval of an existing Conditional Use Permit for the Triumph Hospital Expansion (1550 First Colony Boulevard) which was granted under Ordinance No. 1435 by the City Council on April 6, 2004. If approved, the extension will give the applicant an additional year to submit building permits to begin construction and a subsequent year to have the improvements constructed, per Chapter Two of the Development Code. Ordinance No. 1435 and correspondence from the applicant have been attached for reference.

DEVELOPMENT CODE - EXPIRATION OF CUP ORDINANCES:

Ch. 2, Art. 2, Sec. 2-25 Expiration

Unless specified otherwise in the ordinance granting the permit, the conditional use permit terminates if construction for the use permitted by the ordinance has not begun within one year and is not fully established and operational within two years of the date of the ordinance granting the permit. The Council may, upon written

application and after receiving the recommendation of the Commission, grant an extension of time to make use of the permit, for good cause shown.

GENERAL SITE INFORMATION:

The following is a summary of general site information.

Adjacent Zoning	North:	Business Office (B-O)
	South:	Business Office (B-O)
	East:	Standard Single Family Residential (R-1)
	West:	Business Office (B-O)
	Site:	Business Office (B-O)
Adjacent Land Use	North:	Landmark Homes Office
	South:	Ismaili Jamatkhana Center
	East:	Residential Single Family
	West:	Drainage Easement
	Site:	Existing Triumph Hospital

ANALYSIS:

Background Information:

This site is located within a Business Office (B-O) District, which requires a Conditional Use Permit for use as a Long-Term Care Hospital under SIC Code # 8051 (Skilled Nursing Care) and 8069 (Specialty Hospital). The approved CUP allows a Radiology Dept. expansion, General Surgery Unit addition, two-story Patient Care area addition, Plant Operations and storage expansion, and parking lots. The City Council approved a Conditional Use Permit in 2002 submitted by First Colony Investments, LLC, in order for Triumph Hospital to re-establish hospital uses at the facility. The existing building at 1550 First Colony Boulevard was originally constructed and licensed as a hospital in the 1980's by Charter Hospital, but had later been used as an assisted living center. At the time of the 2002 CUP, additional expansion plans were not known by the applicant or illustrated on the CUP Site Plan for the facility. Based on the additions proposed above, a new CUP was required and approved under Ordinance No. 1435 on April 6, 2004. That ordinance granted expansion of the facility under SIC Code No. 8051 (Skilled Nursing) and 8069 (Specialty Hospital) for approximately 34,814 additional square feet.

Areas of Expansion or Addition:

Radiology Department with MRI Exp.	3,970 sq. feet
General Surgery Unit Add.	4,820 sq. feet
Two-Story Patient Care Area Add.	19,530 sq. feet
Plant Operations and Storage Exp.	6,494 sq. feet
Parking Lot Add.	77 additional spaces for a total of 225

The request for a time extension from the applicant does not alter any of the original proposal or the approved CUP site plan that is a part of Ordinance No. 1435. If approval is given, the extension would provide for an additional year for permit submittal / construction to begin, and an additional year for the improvements to be completed and operational.

RECOMMENDED ACTION

The Development Services Department recommends that the Commission recommend to the Mayor and Council that a time-extension be granted for Ordinance No. 1435 as originally approved on April 6, 2004, to allow for:

- Building Permits and construction to begin within a year (April 6, 2006)
- Improvements to be operational / established within two years (April 6, 2007)

CC: Mr. Dexter Littlefield, Triumph Hospital Southwest
dlittlefield@triumph-healthcare.com

FILE#: P0003360

Vicinity Map:

Triumph Hospital CUP



**Located at 1550 First Colony Blvd.
just south of Soldiers Field Drive**

ORDINANCE NO. 1435

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, GRANTING A CONDITIONAL USE PERMIT FOR THE EXPANSION OF AN EXISTING LONG-TERM CARE HOSPITAL LOCATED AT 1550 FIRST COLONY BOULEVARD.

WHEREAS, Triumph Hospital Southwest has applied for a conditional use permit to expand a long-term care hospital in a Business-Office (B-O) zoning district for the real property located at 1550 First Colony Boulevard; and

WHEREAS, Triumph Hospital Southwest applied for and received a Conditional Use Permit to occupy the existing building by Ordinance 1360, approved by City Council on August 20, 2002; and

WHEREAS, the Planning and Zoning Commission recommends the permit be approved; NOW, THEREFORE;

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**


Section 1. That a conditional use permit to expand a long-term care hospital (SIC No. 8051/Skilled Nursing Care and 8069/Specialty Hospital) is granted for the real property as described in Exhibit B, attached to and incorporated into this ordinance by reference.

Section 2. That the premises shall be developed, operated, and maintained in accordance with the ordinances of the City of Sugar Land and in accordance with the site plan dated November 24, 2003 shown in Exhibit A, attached to and incorporated into this ordinance by reference. If there is a conflict between a provision of this ordinance and a provision of the Code of Ordinances or the Sugar Land Development Code, the more stringent provision controls.

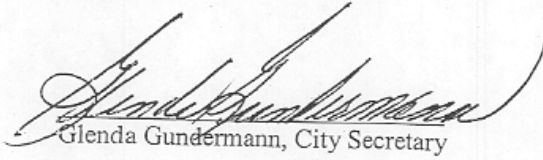
Section 3. That any person found guilty of violating this ordinance shall be fined not more than \$2,000 for each offense.

APPROVED on first consideration on March 16, 2004.

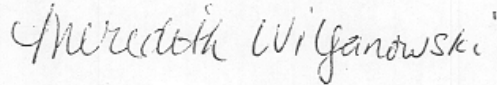
ADOPTED upon second consideration on April 06, 2004.


David G. Wallace, Mayor

ATTEST:


Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:



Attachments: Exhibit A – Site Plan Dated November 24, 2003
Exhibit B - Metes and Bounds Description

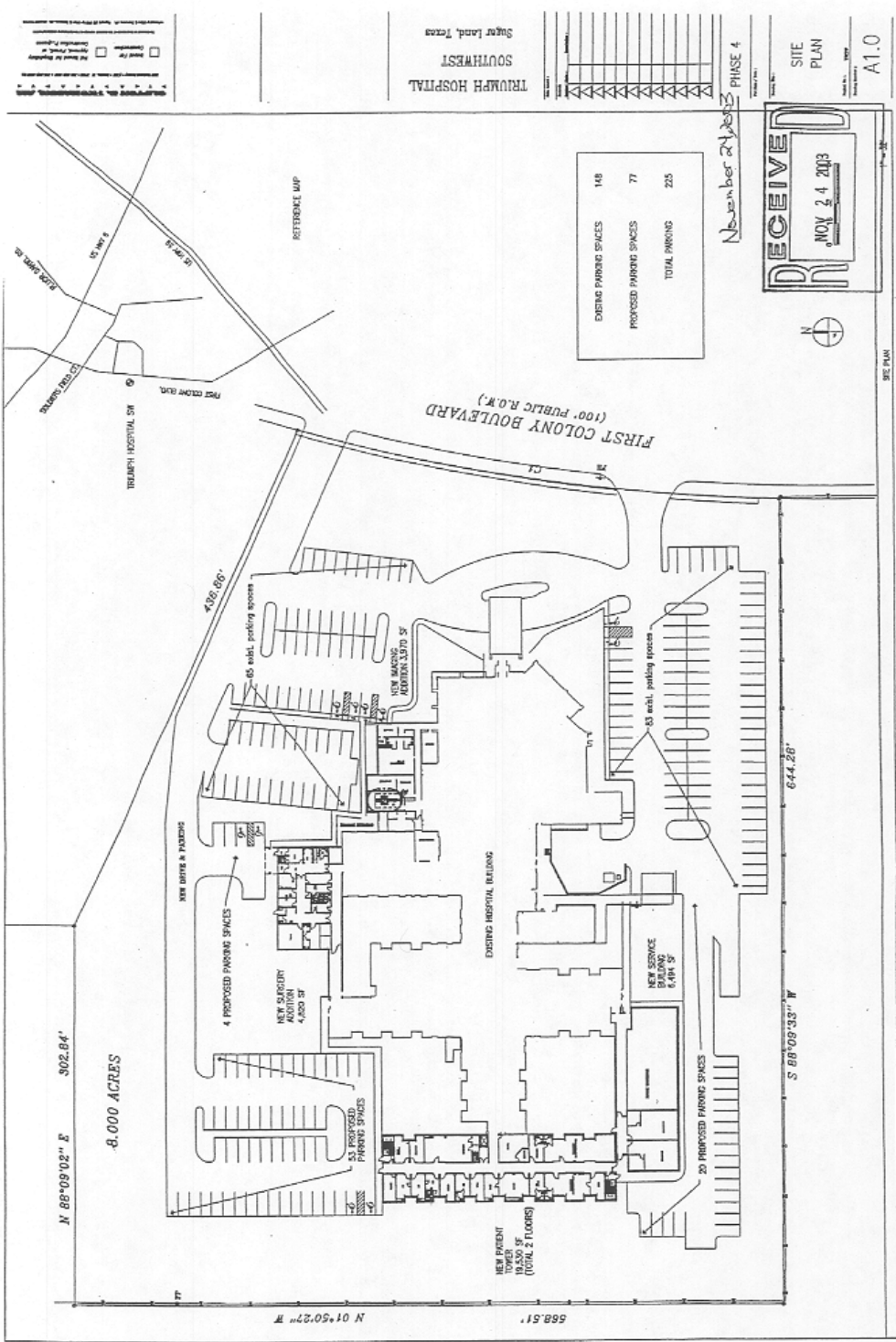


EXHIBIT A

Plat Slide No. 1768/1 Fort Bend County Plat Records

Legal Description:

LEGAL DESCRIPTION

BEING A 8.0000-ACRE TRACT OUT OF A 379.134 ACRE TRACT DESIGNATED AS FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 2, AND ALSO BEING OUT OF THE SUGARLAND PROPERTIES INCORPORATED TRACTS 9 AND 10. AS RECORDED IN VOLUME 607, PAGE 101 OF THE FORT BEND COUNTY DEED RECORDS, ALSO LOCATED IN THE ALEXANDER HODGE LEAGUE, A-32, FORT BEND COUNTY, TEXAS. SAID 8.0000-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY MEETS AND BOUNDS AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 6 (RIGHT-OF-WAY VARIES), AND THE EAST LINE OF THE FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 2 DRAINAGE EASEMENT, AS RECORDED IN VOLUME 841, PAGE 90, OF THE FORT BEND COUNTY DEED RECORDS, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE 379.134 ACRE FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 2;

THENCE, SOUTH 37 DEGREES 15 MINUTES 14 SECONDS WEST, 291.20 FEET ALONG THE WEST LINE OF THE 379.134 ACRE TRACT AND THE EAST LINE OF THE FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 2 DRAINAGE EASEMENT TO A POINT;

THENCE, SOUTH 01 DEGREES 50 MINUTES 27 SECONDS EAST, 1421.46 FEET ALONG THE WEST LINE OF THE 379.134 ACRE TRACT AND THE EAST LINE OF THE FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 2 DRAINAGE EASEMENT TO A POINT;

THENCE, NORTH 88 DEGREES 09 MINUTES 02 SECONDS EAST, 302.84 FEET TO A 5/8 INCH IRON ROD FOUND AT A CORNER;

THENCE, SOUTH 67 DEGREES 29 MINUTES 02 SECONDS EAST, 436.86 FEET TO A NAIL FOUND IN CONCRETE ON THE ARC OF A 1625.00 FOOT RADIUS CURVE TO THE LEFT, AND BEING IN THE NORTHWEST RIGHT-OF-WAY LINE OF FIRST COLONY BOULEVARD (100-FOOT WIDE) AS RECORDED IN VOLUME 30, PAGE 4 OF THE FORT BEND COUNTY PLAT RECORDS;

THENCE, 393.40 FEET ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF FIRST COLONY BOULEVARD AND THE ARC OF THE 1625.00 FOOT RADIUS CURVE TO THE LEFT, HAVING CENTRAL ANGLE OF 13 DEGREES 51 MINUTES 15 SECONDS AND A CHORD BEARING SOUTH 06 DEGREES 26 MINUTES 31 SECONDS WEST, 392.44 FEET TO THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS NORTH 79 DEGREES 36 MINUTES EAST, 0.56 FEET;

THENCE, SOUTH 88 DEGREES 09 MINUTES 33 SECONDS WEST, 644.28 FEET TO A 5/8 INCH IRON ROD SET ON THE WEST LINE OF THE 379.134 ACRE TRACT AND THE EAST LINE OF THE FORT BEND LEVEE IMPROVEMENT DISTRICT NO. 2 DRAINAGE EASEMENT, THE SAME POINT BEING THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 01 DEGREES 50 MINUTES 27 SECONDS WEST, 568.51 FEET ALONG THE WEST LINE OF THE 379.134 ACRE TRACT, AND THE EAST LINE OF THE FORT BEND COUNTY IMPROVEMENT DISTRICT NO. 2 DRAINAGE EASEMENT TO THE POINT OF BEGINNING AND CONTAINING 8.0000 ACRES.

SLIDE 1768/1 FORT BEND COUNTY PLAT RECORDS.

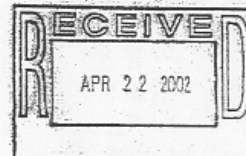
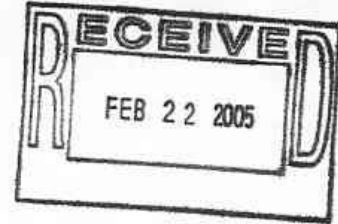


EXHIBIT B

Letter from Applicant Requesting CUP Extension:



February 15, 2005

Mr. Jim Callaway
Development Services Director
City of Sugar Land
2700 Town Center Blvd. North
Sugar Land, Texas 77478

RE: Triumph Hospital Southwest Expansion: Request for extension of Conditional Use Permit

Dear Mr. Callaway:

In response to your letter dated January 26, 2005 we would like to request an extension of our existing Conditional Use Permit to April 6, 2006.

We will re-evaluate the plans in July 2005, which will be included in our Capital Budget for 2006. This will give us sufficient time to submit site plans for approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Dexter Littlefield".

Dexter Littlefield
Director of Plant Operations

CC: Mr. Jack Lee, First Colony Investments

"The Leader in the Continuum of Intensive Care Services"

1550 First Colony Blvd. | Sugar Land, TX 77479 | tel: 281.275.6000 | fax 281.491.7255 | www.triumph-healthcare.com